

COUNCILOR-AT-LARGE
PAUL M. GUANCI,
COUNCIL PRESIDENT
TIMOTHY FLAHERTY
JULIE R. FLOWERS



City of Beverly

CITY COUNCIL

WARD COUNCILORS
WARD 1 TODD C. ROTONDO
WARD 2 ESTELLE M. RAND
COUNCIL VICE PRESIDENT
WARD 3 STACY M. AMES
WARD 4 SCOTT D. HOUSEMAN
WARD 5 KATHLEEN M. FELDMAN
WARD 6 MATTHEW J. ST. HILAIRE

Agenda
Special City Council Meeting
City Council Chambers
191 Cabot Street
Wednesday, December 29, 2021
7:00PM

Roll Call of Members:

Pledge of Allegiance to the Flag: Council President Guanci

Moment of Silence: None

Resolutions: None

Presentations, Awards and Memorials: None

Comments by Citizens (subject to the conditions contained in Appendix A to the "Rules and Orders"): **Anyone who would like to speak at the Meeting has until 9:30AM on the day of the Meeting to register with the City Clerk. (Limit of 3 @ 5 minutes each): None**

Public Hearings:

1. 7:15 PM-Order #233-Community Preservation Committee – Out of Cycle Application for Moraine Farm.

Acceptance of Minutes of Previous Meeting: None

Communications from His Honor the Mayor: None

Communications, from other City Officers and Boards: None

Communications, Application and Petitions:

1. Order # 246-Department of Environmental Protection Waterways regulation Program.

Unfinished Business from a previous meeting: None

Motions and Orders: None

Meeting Adjourned:

2021 DEC 21 A 9:00
CITY OF BEVERLY
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CITY CLERK'S OFFICE



CITY of BEVERLY
COMMUNITY PRESERVATION COMMITTEE

191 Cabot Street
Beverly, Massachusetts 01915
Phone (978) 921-6000
Fax (978) 921-6187

No. 233

CITY OF BEVERLY
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CITY CLERK'S OFFICE

2021 DEC -2 P 3:28

Mayor

Michael P. Cahill

Chairperson

Heather Richter

Vice Chairperson

Derek Beckwith

Members

Amy Benjamin

Robert Buchsbaum

Thomas Bussone, II

Christy Edwards

Nancy Marino

Marilyn McCrory

Wendy Pearl

December 02, 2021

Mr. Paul Guanci, Council President
Beverly City Council
c/o Ms. Lisa Kent, Beverly City Clerk
Beverly City Hall
191 Cabot Street
Beverly, MA 01915

Dear Council President Guanci:


The Beverly Community Preservation Committee (CPC) met on Wednesday, December 01, 2021 to review and take action on a request that the CPC received from the Administration. The request is related to the anticipated receipt of an application from the City of Beverly for CPA funding to purchase a conservation restriction on three parcels of land, totaling approximately eleven (11) acres, located at the Moraine Farm complex, that are owned by The Trustees of Reservations.

Following is the motion passed by the CPC last evening with a vote of 4-2, which includes a time sensitive request directed to the Beverly City Council:

"The Community Preservation Committee (CPC) anticipates reviewing and making a decision on an out-of-cycle application, from the City, to acquire development rights through a conservation restriction on three parcels within the Moraine Farm complex. Such an acquisition would require an appropriation of up to \$1.1 million (one million and one hundred thousand dollars).

"The CPC has received a request from the Administration that the CPC ask that the Beverly City Council schedule a public hearing on this project before the end of the calendar year, perhaps during your December 20th meeting, as this matter is time sensitive. The CPC has not deliberated on the merits of the application but anticipates doing so within the next two weeks."

Thank you, in advance, for your consideration of this request. If you have any questions please feel free to contact Denise Deschamps, staff of the CPC, via telephone at 978-605-2356 or via email at ddeschamps@beverlyma.gov.

Respectfully Submitted by: Beverly Community Preservation Committee 

Chair Heather Richter, At-Large Representative
Vice Chair Derek Beckwith, Planning Board Representative
Amy Benjamin, At-Large Representative
Robert Buchsbaum, Conservation Commission Representative
Thomas Bussone, II, Housing Authority Representative
Christy Edwards, At-Large Representative
Nancy Marino, Parks & Recreation Commission Representative
Marilyn McCrory, Open Space & Recreation Committee Representative
Wendy Pearl, Historic District Commission Representative

cc: Michael P. Cahill, Mayor
Bryant Ayles, Finance Director
Darlene Wynne, Director of Planning and Development
Stephanie Williams, City Solicitor

File



CITY of BEVERLY

COMMUNITY PRESERVATION COMMITTEE

191 Cabot Street
Beverly, Massachusetts 01915
Phone (978) 921-6000
Fax (978) 921-6187

Mayor

Michael P. Cahill

Chairperson

Heather Richter

Vice Chairperson

Derek Beckwith

Members

Amy Benjamin

Robert Buchsbaum

Thomas Bussone, II

Christy Edwards

Nancy Marino

Marilyn McCarty

Wendy Pearl

December 21, 2021

Beverly City Council
c/o Paul Guanci, President
Beverly City Hall
191 Cabot Street
Beverly, MA 01915

RE: Community Preservation Committee recommendation regarding
Out-of-Cycle Application for funding relative to the purchase of a perpetual conservation
restriction on three parcels (approximately 11 acres) located within the Moraine Farm complex

Dear President Guanci and Members of the City Council:

The City of Beverly's Community Preservation Committee (CPC) received an "out-of-cycle" application from the City of Beverly requesting \$1.1 million (one million and one hundred thousand dollars) in CPA funds to purchase a conservation restriction on three parcels of land (approximately eleven [11] acres) currently owned by The Trustees of Reservations (the Trustees) located, within the Moraine Farm complex. Presently, the Trustees own 79 acres at the Moraine Farm complex and is in the process of acquiring an additional 66 acres of land from Project Adventure in that same area. Post-acquisition, the Trustees would own all but 33 acres of this historic property. The goal of the Trustees is to maintain the Moraine Farm complex as open space and continue its preservation for aesthetic, historic, environmental, and recreational benefit to the community. The purchase of a perpetual conservation restriction by the City of Beverly, with CPA funding, provides an eligible means of investing CPA funds in this important project, as the Trustees have reached the capacity of their private philanthropic donors. In return for the purchase of a conservation restriction, the Trustees have articulated a specific suite of benefits that the City believes will be of particular value to Beverly residents, listed below:

- Create and manage a community garden on 1.75 acres of land at Moraine Farm for Beverly residents.
- Dedicate 10 parking spaces at Moraine Farm for Beverly Residents.

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DEC 22 A 8:15

- Improve, enhance, and open the historic Conant Street access, which will provide greater access to the reservation for those taking public transit and additional residential neighborhoods.
- Make property available for at least two community events per year, either hosted exclusively by The Trustees or the City and The Trustees working collaboratively (i.e. Moraine Farm Fall Festival or similar).
- With Beverly High School athletics staff, incorporate as desired and feasible, some of the Moraine farm trail network into the existing high school XC course at the Phillips Reserve.
- Provide venue for XC ski/snowshoe/trail running events.
- Phillips Preserve partnership:
 - Full integration of trail network;
 - Re-establish historic Moraine Farm identity bridging both properties;
 - Integrate Phillips Preserve into property interpretive and way-finding signage;
 - Install signage at Phillips Preserve parking apron indicating alternative parking availability at Moraine Farm;
 - Assistance with trail stewardship, i.e. storm clean-up and volunteer trail clean-up events, as requested;
 - Assistance with fall/spring clean-up, as requested.

The CPC reviewed and considered the City of Beverly's pre-application, eligibility as an out-of-cycle application and full application per its established *Special Application Criteria and Process* applied to out-of-cycle applications and its established *General Evaluation Criteria* which includes criteria for the review of projects in the *open space* category. On Wednesday, December 08, 2021, the CPC unanimously voted in favor of recommending funding for the project in the amount requested, \$1.1 million (one million and one hundred thousand dollars). The CPC did make their recommendation of an award contingent upon: (a) the successful execution of a Memorandum of Agreement between the City of Beverly and the Trustees, as described in the application, which defines the benefits the community will derive from acquisition, and; (b) acknowledgement by all parties of the significant contribution made by the Citizens of Beverly, via the award of these Community Preservation Act funds, to the preservation of the Moraine Farm complex, including permanent signage located on the Moraine Farm Reservation.

Attached is the full application with appendices.

As you are aware, pursuant to Massachusetts General Law, a public hearing must be scheduled prior to any City Council vote taken on the attached order. In response to a previous request from the Beverly Community Preservation Committee and the Mayor's Office, the Beverly City Council has scheduled a public hearing on this item which is to be held on December 29, 2021.

All projects recommended by the City of Beverly's Community Preservation Committee are subject to the terms and conditions imposed by the Community Preservation Committee through anticipated Grant Agreements or Memorandums of Understanding. The following conditions are common to all recommended projects:

1. Projects financed with Community Preservation Act funds must comply with all applicable State and Municipal requirements. CPA funds are administered and disbursed by the City of Beverly.
2. The CPC will require project status updates from the recipient and back up invoices for any CPA fund disbursement requests.

3. All projects will be required to credit CPA funding in their promotional materials and, where appropriate, on exterior signage.

If you should require additional information please do not hesitate to contact the Committee through its staff, Denise Deschamps, Planning and Development Department, at 978-605-2356.

Respectfully submitted by the Community Preservation Committee



Chair Heather Richter, At-Large Representative
Vice-Chair Derek Beckwith, Planning Board Representative
Amy Benjamin, At-Large Representative
Robert Buchsbaum, Conservation Commission Representative
Thomas Bussone, II, Housing Authority Representative
Christy Edwards, At-Large Representative
Nancy Marino, Parks & Recreation Commission Representative
Marilyn McCrory, Open Space & Recreation Committee Representative
Wendy Pearl, Historic District Commission Representative

Attachments

cc: Michael P. Cahill, Mayor
Bryant Ayles, Finance Director
Stephanie Williams, City Solicitor
Darlene Wynne, Director of Planning and Development

|
File

PUBLIC NOTICES**NOTICE - #2021-233
CITY OF BEVERLY**

ORDERED: That the City Council of the City of Beverly hold a Public Hearing on Wednesday, December 29, 2021 at 7:15 PM City Hall, 191 Cabot Street, 3rd Floor, Council Chambers, Beverly, MA relative to a Recommendation for out-of-cycle funding for the acquisition of conservation restrictions, by the City of Beverly, on three parcels of land located within the Moraine farm complex. Such an acquisition would require an appropriation of up to \$1.1 million dollars.

Attest:

Lisa E. Kent
City Clerk

As per order of the City Council
SN - 12/17/21

City Clerk's Office
191 Cabot Street
Beverly, MA 01915-5849
Tel. 978-605-2325
E-Mail. lkent@beverlyma.gov

Legal Notice - #2021-233
City of Beverly

ORDERED: That the City Council of the City of Beverly hold a Public Hearing on Wednesday, December 29, 2021 at 7:15 PM City Hall, 191 Cabot Street, 3rd Floor, Council Chambers, Beverly, MA relative to a Recommendation for out-of-cycle funding for the acquisition of conservation restrictions, by the City of Beverly, on three parcels of land located within the Moraine farm complex. Such an acquisition would require an appropriation of up to \$1.1 million dollars.

Attest:
Lisa E. Kent
City Clerk
As per order of the City Council

Please publish:
Thursday, December 16, 2021

Send tear sheets and bill to:
City Clerk's Office
191 Cabot Street
Beverly, MA. 01915-5849

NO. 246

DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATERWAYS REGULATION PROGRAM

CITY OF BEVERLY
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CITY CLERKS OFFICE

Notice of License Application pursuant to M.G.L. Chapter 91
Waterways License/Permit Application Number W21-6042

2021 DEC 17 P 12:46

Applicant: Paul Gaudenzi

Project Location: 60 South Terrace, Beverly, Essex County

Public Comments Deadline: January 14, 2022

NOTIFICATION DATE: December 15, 2021

Public Notice is hereby given of the Waterways License/Permit Application by Paul Gaudenzi to install a residential docking facility consisting of a 6 foot wide by 90 foot long pile-supported timber pier, a 4 foot wide by 40 foot long aluminum gangway with pile-held winch hoist connecting to a 8 foot wide by 20 foot long float with float stops and a 8 foot wide by 30 foot long pile-held float with 30-inch float legs; and reconstruct a 70 foot long stone seawall with associated fill in filled and/or flowed tidelands of the Danvers River at 60 South Terrace in Beverly, Essex County. The proposed project has been determined to be a Water-Dependent Use project.

The Department will consider all written comments on this Waterways Application received by January 14, 2021 (Public Comments Deadline). Failure of any aggrieved person or group of ten (10) citizens or more to submit written comments to the Waterways Regulation Program by the Public Comments Deadline will result in the waiver of any right to an adjudicatory hearing in accordance with 310 CMR 9.13(4)(c). The group of citizens must include at least five (5) citizens who are residents of the municipality in which the proposed project is located. A public hearing may be held upon request by the Municipal Official.

Additional information regarding this application may be obtained by contacting the Waterways Regulation Program. Project plans and documents for this application are on file for public viewing electronically by request to ivan.morales@mass.gov. If you do not have access to email, please leave a voicemail at (617) 292-5621 and you will be contacted with information on alternative options.

Please be advised that the MassDEP Boston office is currently closed to the public and the Waterways Program Staff are working remotely. It is recommended that documents and correspondence be filed electronically when possible; documents should not be hand delivered to One Winter Street, Boston, MA until further notice. Written comments should be addressed to: ivan.morales@mass.gov. If you do not have access to email, hard copy documents may be mailed to: MassDEP Waterways Regulation Program c/o Ivan Morales, One Winter Street, 5th Floor, Boston, MA 02108.